

Attorney Docket No. 01149/HG

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicants : Yuki ABE et al.

Serial No. : 09/836,705

Filed : April 17, 2001

For : GENES FROM A GENE CLUSTER

Art Unit : 1645

Examiner :



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*Dorothy DeFrancesco*  
Dorothy DeFrancesco

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

Please amend the application as follows.

**IN THE CLAIMS:**

At the top of page 73 of the application, replace  
"Claims FOR US" with the following heading:

--WHAT IS CLAIMED IS:--.

1. (Amended) A polynucleotide selected from the group  
consisting of:

(a) a polynucleotide encoding a protein having the amino acid  
sequence of SEQ ID NO 38, or a polynucleotide variant thereof

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